New Hampshire Ave. Restaurant Redevelopment: Site Plan No. 820180090 & Safeway at Cloverly: Site Plan Amendment No. 81999004B, Regulatory Review Extension Request No. 3

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Description

A. Site Plan No. 820180090, New Hampshire Ave. Restaurant Redevelopment: Requesting to extend the regulatory review period until 2/7/2019; Application proposing the construction of an eating and drinking establishment (Burger King) with a drive thru, located on the southwest corner of New Hampshire Ave. and Cloverly Street, 0.77 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.

B. Site Plan Amendment No. 81999004B, Safeway at Cloverly: Requesting to extend the regulatory review period until 2/7/2019; Amendment to reduce the number of parking spaces required for Safeway and removed the condition requiring shared parking on the former bank site, located on New Hampshire Ave., 200 feet south of Cloverly Street, 3.66 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.

Summary

Chapter 59 of the Montgomery County Zoning Ordinance, Section 59.7.3.4.C, provides that the Planning Board shall hold a public hearing for Preliminary and Site Plans no later than 120 days after the date the application(s) are accepted. However, the Director may postpone the public hearing by up to 30 days once without Board approval and the Director or applicant may request one or more extensions beyond the original 30 days with Planning Board approval.

Site Plan No. 820180090 and Site Plan Amendment No. 81999004B were accepted on March 7, 2018, which established a Planning Board date no later than June 5, 2018. The Planning Board granted a 5-month extension until October 25, 2018, in order to file a preliminary plan of subdivision which is required because the subject property is on part of a lot, not a recorded lot. The Planning Board granted a second extension until December 25, 2018, to give the Applicant time to coordinate with reviewing agencies regarding frontage improvements and stormwater management. The Applicant has received approval from most of the reviewing agencies and is in the final stage of acquiring the remaining approval letters. To obtain the remaining approvals and submit final plans the Applicant has requested an extension until February 7, 2019.

Staff recommends approval of the extension requests.

Attachment: Extension request forms (2)
Plan Name: New Hampshire Avenue Restaurant  
Plan No. 820180090  
This is a request for extension of:  
- [ ] Project Plan  
- [ ] Preliminary Plan  
- [X] Site Plan  
The Plan is tentatively scheduled for a Planning Board public hearing on: December 25, 2018  
The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:  
[ ] Owner  
[ ] Owner's Representative  
[ ] Staff (check applicable)  
Name: Jody Kline  
Attorney for Applicant:  
Affiliation/Organization:  
Street Address: 200-B Monroe Street  
Rockville, MD. 20850  
City: Rockville  
State: MD  
Zip Code: 20850  
Telephone Number: 301.762.3212  
Fax Number:  
E-mail: jskline@mmcanby.com  
We are requesting an extension for 2 months until at least February 7, 2019  
Describe the nature of the extension request. Provide a separate sheet if necessary.

This site plan application is paired with a site plan amendment (81999048) and a preliminary plan C (20180260) of subdivision. This application was previously deferred until the preliminary plan review could catch up and all three applications could be considered simultaneously. This deferred will allow for completion of the preliminary plan review and an efficient review of all applications at the same time.

Signature of Person Requesting the Extension  
Jody Kline

Date: 12 December 2018
Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director’s designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _________________ until _________________.

Signature ________________________________ Date ________________

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _________________ and approved an extension for more than 30 days of the Planning Board public hearing date from _________________ until _________________.
Plan Name: Safeway at Clovery Site Plan Amendment

This is a request for extension of: x Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 25 December 2018

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner's Representative

Name: Jody Kline

Address: 200-B Monroe Street

City: Rockville

Telephone Number: 301.762.5212

Fax Number:  

E-mail: jskline@mmcanby.com

We are requesting an extension for 1.5 months until Not later than February 7, 2019

Describe the nature of the extension request. Provide a separate sheet if necessary.

This site plan amendment application is paired with a preliminary plan of subdivision application (120180090). This application has been deferred from consideration due to problems in the review of the preliminary plan. These problems have been addressed and this extension will allow this application to be considered with the preliminary plan and a sister site plan.
Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director’s designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from ________________ until ________________.

_________________________________________  __________________________
Signature                                           Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on ________________ and approved an extension for more than 30 days of the Planning Board public hearing date from ________________ until ________________.